

DATE

Patricia Douglas
Judicial Administrator
23rd Judicial District Court
607 E. Worthey Street, 3rd Floor
Gonzales, Louisiana 70737

Re: **Louisiana Board of Ethics**
Docket No. 2021-098

Dear Ms. Douglas,

The Louisiana Board of Ethics, at its meeting on March 5, 2021, considered your request for an advisory opinion as to whether Section 1121 of the Code of Governmental Ethics ("Code") would prohibit Gina Lee from contracting with the 23rd Judicial District Court ("JDC") for court reporting services.

FACTS PROVIDED

Each judge in the 23d JDC has their own court staff, including secretary, court reporter, and bailiff. Gina Lee was employed exclusively as the court reporter for Division D in the 23rd JDC until December 31, 2020. You ask whether Ms. Lee can now contract with the 23rd JDC to provide services as a substitute or ad hoc court reporter for the other divisions in the 23rd JDC. Ms. Lee would receive a 1099 at the end of the year for her services.

LAW

La. R.S. 42:1121B(1) provides that no former public employee shall, for a period of two years following termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a period of two years following termination of his public employment, render, any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to for, or on behalf of the agency with which he was formerly employed.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code does not prohibit Gina Lee from contracting with the 23rd JDC to provide court reporting services in

divisions other than Division D on a substitute or ad hoc basis. However, the Code does prohibit Ms. Lee, for a period of two years from the end of her employment, from providing court reporting services on any matters in which she participated while employed in the 23rd JDC and prohibits her from rendering court reporting services to Division D on a contractual basis.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.